

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-06-261/266
KS-06-100/109
KS-ND-06-019
KS-EG-06-031/041

Beginning Date: August 3, 2006
Comments Due: September 2, 2006

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-06-261/262

Application(s) for New or Expansion of Existing Swine Facilities

<u>Name and Address of Applicant</u>	<u>Owner of Property Where Facility Will Be Located</u>
Zenith Project, LLC 2375 Avenue D Geneseo, KS 67444	Dr. Steven C. Henry 320 NE 14 th Street Abilene, KS 67410

<u>Legal Description</u>	<u>Receiving Water</u>
SE/4 of Section 14 T18S, R07W Rice County	Little Arkansas River Basin

Kansas Permit No.: A-LARC-S005

This is an application for modification of the current permit. The facility is planning to add a farrowing room to the end of the existing farrowing barn. The addition will increase the maximum capacity by 440 head of swine weighing more than 55 pounds and 420 head of swine weighing

55 pounds or less. The new capacities will be 1,866 large swine and 2,220 small swine for a new capacity of 968.4 animal units. A permit will not be issued without additional public notice.

Name and Address of Applicant

Daniel R. Compton
1671 Mulberry Road
Hiawatha, KS 66434

Owner of Property Where Facility Will Be Located

Daniel R. Compton
1671 Mulberry Road
Hiawatha, KS 66434

Legal Description

SW/4 of Section 35
T03S, R17E
Brown County

Receiving Water

Missouri River Basin

Kansas Permit No.: A-MOBR-S043

This is an application for a permit for construction of a new swine facility for a maximum capacity of 2,400 head (960 animal units) of swine greater than 55 pounds. The facility will consist of two enclosed buildings each housing 1,200 head of swine on a slotted floor. All manure and wastewater will drop to a concrete pit beneath the floor. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-06-263/266

Pending Permits for Confined Feeding Facilities

Name And Address of Applicant

Hole In One Holsteins
Gary Mies
21707 W. 4th Street North
Goddard, KS 67052

Legal Description

NE/4 of Section 24
T27S, R03W
Sedgwick County

Receiving Water

Lower Arkansas
River Basin

Kansas Permit No.: A-ARSG-M015

This is a renewal permit for an expanding facility from 80 head (112 animal units) to 150 head (210 animal units) of dairy cattle. A new earthen wastewater retention structure will be built to collect runoff from the lots and wash water from the milking parlor.

Parks Pasture Pork
Darrell D. Parks
1001 East 26th Avenue
Manhattan, KS 66502

NW/4 of Section 26 &
SE/4 of Section 23
T10S, R08E
Riley County

Kansas River Basin

Kansas Permit No.: A-KSRL-S006

This is a renewal permit with modification for an existing facility for 365 head (146 animal units) of swine weighing more than 55 pounds and 200 head (20 animal units) of swine weighing 55 pounds or less for a total of 565 head (166 animal units) of swine. Modification to permit is to reflect actual animal count and existing facility operations.

Dan Schletzbaum
14821 318 Road
Atchison, KS 66002

SW/4 of Section 07
T05S, R20E
NE/4 of Section 13
T05S, R19E
Atchison County

Missouri River Basin

Kansas Permit No.: A-MOAT-S002

This is a renewal permit for an existing facility for a maximum of 400 head (160 animal units) of swine weighing more than 55 pounds and 325 head (32.5 animal units) of swine weighing 55 pounds or less for a total of 192.5 animal units.

Meade County Feeders, LLC, Site 1
Matthew Welsh, Manager
10096 18 Road
Meade, KS 67864

W/2 of Section 23
T31S, R28W
Meade County

Cimarron River Basin

Kansas Permit No.: A-CIME-C002

Federal Permit No.: KS0115886

This is a modification of the existing permit for a 2,000 head increase in the permitted capacity. There will be no new construction. The stocking rate of the pens will be increased. The new permitted capacity will be 12,000 head (12,000 animal units).

Public Notice No. KS-06-100/109

NAME AND ADDRESS OF APPLICANT	WATERWAY	TYPE OF DISCHARGE
Carbondale, City of 234 Main Street Carbondale, KS 66414	Wakarusa River via Camp Creek via Strowbridge Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-KS07-PO03

Federal Permit No. KS0098574

Legal: NE¼, NE¼, SW¼, S21, T14S, R16E, Osage County, KS

Facility Name: Carbondale Water Treatment Plant

Facility Description and Notice of Variance: The proposed action is to issue a new permit for a wastewater discharge from a water treatment plant. This is a potable water treatment plant treating surface water. Sludge from the two clarifiers, filter-to-waste, filter backwash and miscellaneous drains are routed to one of two clay-lined lagoon cells. The estimated flow of wastewater to the lagoon system is about 0.031MGD. The permittee has requested a variance from the 10 foot separation distance requirement from the bottom of the proposed lagoon to groundwater. The variance to K.A.R. 28-16-162 will allow the construction of a new two cell replacement lagoon system as part of the public water supply facility upgrades. The separation distance from the bottom of the proposed lagoon system and ground water is one foot. The proposed plan is to install a French Drain to the south and west side of the lagoon to channel the ground water around the lagoon. The Department has determined that the quality of the water being routed to the lagoon is as good as or better than that of the ground water beneath the lagoon and therefore, does not pose a negative environmental effect on such groundwater. The proposed permit includes limits for total suspended solids and pH as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a

laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Cimarron, City of
PO Box 467
Cimarron, KS 67835

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-UA07-0002

Federal Permit No. KS0091791

Facility Description: S½, SE¼, NW¼, S12, T26S, R28W, Gray County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform. Monitoring for ammonia, fluoride, total recoverable selenium, sulfate, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Great Bend, City of
PO Box 1168
Great Bend, KS 67530

Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-UA16-0001

Federal Permit No. KS0038491

Facility Description: N½, SW¼, SW¼, S35, T19S, R13W, Barton County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. This facility consists of two primary clarifiers, activated sludge extended aeration, post-aeration system, sludge anaerobic digestion, sludge drying beds and a UV disinfection facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, dissolved oxygen, and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, chlorides, sulfates, total recoverable selenium, and effluent flow will also be required. The permittee is required to perform a Chronic Whole Effluent Toxicity (WET) test annually as well as a Priority Pollutant Scan once during the term of the permit. Contained in the permit is a schedule of compliance requiring the permittee to conduct a study to assess the cost and feasibility of nutrient removal by this facility. The report is to be completed within two years of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Jefferson County Commissioners
6766 Lake Ridge Parkway
Ozawie, KS 66070

Perry Lake via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-KS56-0004

Federal Permit No. KS0093807

Facility Description: NE¼, SE¼, SE¼, S23, T10S, R17E, Jefferson County, KS

Facility Name: Jefferson County S.D. #7 (Lake Ridge Estates)

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating

primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform as well as monitoring for ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Kansas Turnpike Authority
3939 S.W. Topeka Blvd.
Topeka, KS 66609

Stranger Creek via
Nine Mile Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. C-KS31-OO02

Federal Permit No. KS0053694

Facility Description: N½, NE¼, SE¼, S12, T12S, T20E, Leavenworth County, KS

Facility Name: Lawrence Service Area

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform. Monitoring for ammonia, total recoverable zinc and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Leavenworth County Commission
300 Walnut, Suite 007
Leavenworth, KS 66048

Kansas River via
Wolf Creek

Treated Domestic
Wastewater

Kansas Permit No. M-KS06-OO03

Federal Permit No. KS0087157

Facility Description: NE¼, S25, T11S, R22E, Leavenworth County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform. Monitoring for ammonia, total recoverable copper, cell water level, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Longton, City of
PO Box 18
Longton, KS 67352

Elk River via
Hitchen Creek

Treated Domestic
Wastewater

Kansas Permit No. M-VE25-OO01

Federal Permit No. KS0046019

Facility Description: SE¼, NE¼, NE¼, S3, T31S, R12E, Elk County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Thayer, City of

Chetopa Creek via

Treated Domestic

PO Box 157
Thayer, KS 66776

Little Chetopa Creek
via Unnamed Tributary

Wastewater

Kansas Permit No. M-VE35-0001

Federal Permit No. KS0026450

Facility Description: NE $\frac{1}{4}$, NW $\frac{1}{4}$, S30, T29S, R18E, Neosho County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, and pH will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Tyro, City of
PO Box 247
Tyro, KS 67364

Little Caney River
via Onion Creek
via Fawn Creek

Treated Domestic
Wastewater

Kansas Permit No. M-VE37-0001

Federal Permit No. KS0081264

Facility Description: SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, S31, T34S, R15E, Montgomery County, KS

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform, pH and total recoverable copper and zinc will also be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are technology based.

Unified School District #348
PO Box 67
Baldwin City, KS 66006

Wakarusa River via
Coal Creek via
Unnamed Tributary

Treated Domestic
Wastewater

Kansas Permit No. M-KS82-0001

Federal Permit No. KS0095630

Facility Description: SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, S10, T14S, R20E, Douglas County, KS

Facility Name: U.S.D. #348 Vinland Elementary School

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform as well as monitoring for ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Public Notice No. KS-ND-06-019

NAME AND ADDRESS OF APPLICANT

St. Paul Church of God in Christ
c/o Pastor Wayne Franklin
1431 S.W. Auburn Road
Topeka, KS 66615

LEGAL LOCATION

SE $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$
S2, T12S, R14E
Shawnee County, KS

TYPE OF DISCHARGE

Non-Overflowing

Kansas Permit No. C-KS72-NO20

Federal Tracking No. KSJ000164

Facility Description: The proposed action is to reissue an existing permit for operation of an existing non-overflowing lagoon wastewater treatment facility. This facility is considered a temporary treatment system. Connection to a city, county, or other public sewer system shall be required when service becomes available and the lagoon shall be properly abandoned. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to oversee the operation of this lagoon system. Discharge of wastewater from this treatment facility to surface waters of the State of Kansas is prohibited by this permit.

Public Notice No. KS-EG-06-031/041

In accordance with K.A.R. 28-46-7 and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

NAME AND ADDRESS OF APPLICANT

Basic Chemicals Company, LLC
PO Box 12283
Wichita, KS 67277-2283

Facility Location: Wichita, KS

Well and Permit Number	Location
J-77 KS-03-173-218	2224 feet from south line and 3783 feet from west line of Section 19-29-02W, Sedgwick County, KS (NE-NW-SE)
J-78 KS-03-173-219	2434 feet from south line and 1230 feet from west line of Section 19-29-02W, Sedgwick County, KS (NW-NE-SE)
J-79 KS-03-173-220	2000 feet from south line and 1230 feet from west line of Section 19-29-02W, Sedgwick County, KS (NW-NE-SE)
J-80 KS-03-173-221	2000 feet from south line and 1670 feet from west line of Section 19-29-02W, Sedgwick County, KS (NE-NW-SE)
J-81 KS-03-173-222	2434 feet from south line and 1670 feet from west line of Section 19-29-02W, Sedgwick County, KS (NE-NW-SE)
J-82 KS-03-173-223	1380 feet from south line and 2160 feet from west line of Section 19-29-02W, Sedgwick County, KS (SW-NW-SE)
J-83 KS-03-173-224	1650 feet from south line and 2070 feet from west line of Section 19-29-02W, Sedgwick County, KS (SW-NW-SE)
J-84 KS-03-173-225	1380 feet from south line and 1860 feet from west line of Section 19-29-02W, Sedgwick County, KS (SW-NW-SE)
J-85 KS-03-173-226	1100 feet from south line and 2070 feet from west line of Section 19-29-02W, Sedgwick County, KS (NW-SW-SE)
J-86 KS-03-173-227	1210 feet from south line and 2040 feet from west line of Section 19-29-02W, Sedgwick County, KS (NW-SW-SE)
J-87 KS-03-173-228	1560 feet from south line and 2400 feet from west line of Section 19-29-02W, Sedgwick County, KS (SW-NW-SE)

Facility Description: The proposed action is to reissue the permits for Class III salt solution mining wells at the locations described above. The fluids to be injected consist of fresh water and unsaturated brine. Injection is to be made into the Hutchinson Salt member of the Wellington formation. The top of the cavity shall be no shallower than 250 below land formation. Mining shall not extend into the upper 40 feet of the salt member. The maximum operational injection pressure is not to exceed 80 pounds per square inch at the wellhead. The monitoring and operation of these wells shall meet the requirements

that apply to Class III Injection wells under K.A.R. 28-43-1 through 28-43-11 and the Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-52.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **September 2, 2006**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-261/266, KS-06-100/109, KS-ND-06-019, KS-EG-06-031/041) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application. If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.